

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 22-50024

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

TITUS AMIOTTE,

Defendant.

The Defendant states the following facts are true, and the parties agree they establish a factual basis for the offense(s) to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3).

This case encompasses two investigations during 2020 and 2022 involving the defendant, Titus Amiotte.

Investigation #1

On October 15, 2020, Google filed a CyberTip (CT) with the National Center for Missing and Exploited Children (NCMEC). Investigator Brian Freeouf began investigating the CT on December 7, 2020. The 27 files contained within the CT reportedly depicted child exploitation. Ten of the files were unlocked due to Google staff viewing those images. Freeouf viewed the unlocked images, all of which appeared to be from a single series of images. Freeouf described the images as:

There is one girl approximately 8-10-years old in all the images. The girl has a pink bra, pink panties, pink garter belt, and stockings. Throughout the series of images, the girl is posed in sexually suggestive positions. In

some of the images, her top is pulled up, exposing her bare breasts and nipples. Some of the images her panties are pulled tight enough to where it exposes the girl's outside labia. All images have a pink star in the bottom left corner of the image which says "secret star."

Some of the images qualify as child pornography under federal law. Freeouf obtained a search warrant to unlock the other files. The first reported upload of child pornography as reported in the CT occurred on October 12, 2020.

The Google account that uploaded the files was associated with email address "titustheyoshii@gmail.com." The IP address used to upload the files is owned by Midcontinent and was utilized in the Rapid City area, at a residence on Covington Street, registered to Judy Amiotte (Titus Amiotte's grandmother).

In the Google account "titustheyoshii@gmail.com," Freeouf located 769 images (252 unique images) of child pornography and 9 images (3 unique) of age difficult images (not designated as child pornography due to being age-difficult). The images are all from the same series that was depicted in the CT files.

On May 3, 2021, Freeouf went to Amiotte's residence and spoke to Amiotte. Amiotte admitted he knew he had a juvenile investigation involving child pornography and "finished" that case in 2019. Amiotte said he was opening some old accounts and found some "shit," meaning child pornography. Titus said he found it in his "titustheyoshii@gmail.com" account. Titus said he deleted everything he found as soon as he saw it. Titus also said he logged into the same Gmail account on his phone. Titus gave permission for Freeouf to seize his laptop and phone. Freeouf seized the devices on May 3, 2021.

Hollie Strand's subsequent forensic analysis of the laptop revealed:

- 16 age difficult images and 21 age difficult videos;

- 276 images and 10 videos of child erotica;
- 791 images of child pornography;
- 97 videos of child pornography;
- 3 images of child pornography involving bondage/torture;
- 58 images of child pornography involving infants/toddlers;
- 1 image and 1 video of child pornography involving bestiality.

The phone could not be analyzed because it was passcode-protected.

Investigation #2

On January 12, 2022, Investigator Jesse Fagerland received six CT investigations which were received by NCMEC from Google. The CTs indicated six uploads of suspected child pornography between October 9, 2021, and November 7, 2021, from various IP addresses (five of which are identical). The email addresses linked to the Google accounts suspected of uploading child pornography were titussasse@gmail.com and thaddeusbanksworth@gmail.com. (Note: Titus Sasse Amiotte is how the defendant's name is listed in police records. The recovery email address for thaddeusbanksworth@gmail.com is "amiottetitus@gmail.com").

Fagerland viewed several of the media files contained in the CTs. Several of the media files contained child pornography. As it relates to the federal definition of child pornography, Fagerland made the following observations regarding the CTs:

CyberTip 106289362:

- (1) Recording 42:41 in length of a juvenile female, approximately 11-13 years old eventually exposing her anus and then her vagina while digitally masturbating. The recording appears to be self-produced.
- (2) Recording 03:39 in length of a juvenile female, approximately 10-12 years old exposing her vagina, anus, and breasts. The recording appears to be

self-produced.

CyberTip 106295851:

- (1) Recording 16:40 in length of a juvenile female, approximately 11-13 years old exposing her anus and vagina. The recording appears to be self-produced.
- (2) Recording 00:41 in length of a juvenile female, approximately 10-12 years old exposing her anus and vagina. The recording appears to be self-produced.
- (3) Recording 00:17 in length of a juvenile female, approximately 8-10 years old exposing her anus and vagina. The recording appears to be self-produced.

CyberTip 106330592:

- (1) Recording 01:19 in length of a juvenile female, approximately 8-10 years old exposing her anus and vagina multiple times. The recording appears to be self-produced.

CyberTip 106366642:

- (1) Recording 42:41 in length. Appears to be the same recording from CT 106289362 of the juvenile female digitally masturbating.

CyberTip 106283474:

- (1) Recording 00:16 in length of a juvenile female, approximately 8-10 years old exposing her anus and vagina. The recording appears to be self-produced.
- (2) Recording 04:54 in length of a juvenile female, approximately 10-12 years old exposing her breasts and digitally masturbating both her exposed vagina and exposed anus. The recording appears to be self-produced.
- (3) Image of a juvenile female, approximately 7-9 years old in a tank top and thong bending over, exposing her buttocks. No nudity can be seen in the image.
- (4) Image of a juvenile female, approximately 10-13 years old in tight shorts. The juvenile is spreading her legs, exposing an outline of her labia through her shorts. In the bottom right corner of the image is the watermark "teengallery.com". This image is associated with IP Address 208.107.18.41 which geo-locates to Blackhawk, SD, which was not the defendant's address.
- (5) Recording 01:35 in length of a juvenile female, approximately 6-9 years old exposing her breasts, vagina, and anus. The recording appears to be self-

produced.

- (6) Recording 01:22 in length of a juvenile female, approximately 10-12 years old exposing her breast and anus. The juvenile also digitally masturbates her exposed vagina. The recording appears to be self-produced.
- (7) Recording 00:29 in length of a juvenile female, approximately 7-12 years old exposing her vagina and penetrating her exposed anus with an object. The recording appears to be self-produced.

On February 7, 2022, Fagerland and Detective Elliott Harding executed a search warrant at Amiotte's residence on Covington Street in Rapid City. Amiotte was present in the house when investigators arrived, but fled out the bedroom window when the officers were talking with Amiotte's grandmother at the front of the residence. Officers did not find devices in Amiotte's room, but Amiotte's relatives informed the officers that Amiotte had a cell phone and a laptop that would likely be in his backpack. Amiotte's brother found Amiotte's backpack hidden under the back porch of the residence and turned it over to the officers. The relatives identified the backpack as Amiotte's. Amiotte's bank card was in the backpack. A laptop and a cellular phone were located inside the backpack. The cell phone was password-protected and thus could not be put into airplane mode or forensically analyzed. The defendant admits that the backpack and its contents all belonged to him.

Hollie Strand previewed a portion of the contents of the laptop. She located a recording of a naked female minor in a bathtub, exposing her breasts and vagina. Strand also located multiple images of apparent CGI child pornography. In total, Strand located 86 images and 27 videos of child pornography, including

infants/toddlers and torture/sadism. The defendant knowingly possessed all images and videos of child pornography.

The parties submit that the foregoing statement of facts is not intended to be a complete description of the offense or the Defendant's involvement in it. Instead, the statement is offered for the limited purpose of satisfying the requirements of Fed. R. Crim. P. 11(b)(3). The parties understand that additional information relevant to sentencing may be developed and attributed to the Defendant for sentencing purposes.

ALISON J. RAMSDELL
United States Attorney


12-28-2023

Date

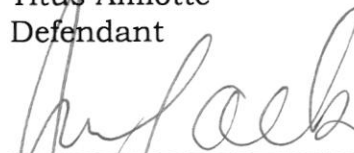
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12-28-23
Date


Titus Amiotte
Defendant

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Jennifer Albertson
Attorney for Defendant